

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

EQUIPMENT FINANCE, LLC,)
Plaintiff) Civil Action
vs.) No. 09-cv-01964
STEVEN M. HUTCHISON; and)
BLUE HORIZON VEGETATIVE)
RECYCLING & LAND CLEARING,)
INC.,)
Defendants)

ORDER AND JUDGMENT

NOW, this 27th day of September, 2011, upon consideration of defendants' oral motion for judgment on partial findings, pursuant to Federal Rule of Civil Procedure 52, made on the record at the non-jury trial of this matter on October 26, 2010; upon consideration of the following documents:

- (1) Agreed Upon Findings of Fact and Conclusions of Law, filed jointly by the parties on March 18, 2010 (Document 28);
- (2) Plaintiff's Proposed Findings of Fact and Conclusions of Law That Have Not Been Agreed Upon, filed April 2, 2010 (Document 30);
- (3) Defendants' Proposed Findings of Fact and Conclusions of Law Per the Order of Court of January 8, 2010, which proposed findings were filed April 1, 2010 (Document 29); and
- (4) Verdict dated September 27, 2011;

after non-jury trial before the undersigned on October 26, 2010; based upon the findings of fact and conclusions of law stated

separately in the Adjudication accompanying this Order and Judgment, pursuant to Fed.R.Civ.P. 52(a)(1); for the reasons articulated in the accompanying Adjudication; and pursuant to Fed.R.Civ.P. 58,

IT IS ORDERED that defendants' oral motion for judgment on partial findings is denied in part and granted in part.

IT IS FURTHER ORDERED that judgment on the Verdict is entered in favor of plaintiff Equipment Finance, LLC and against defendant Steven M. Hutchison in the amount of \$1,503,694.09, as follows:

On Count I of plaintiff's Complaint filed May 8, 2009 for Breach of Contract on Note, judgment in the amount of \$151,654.09; and

On Count II of plaintiff's Complaint for Implied Contract, judgment in the amount of \$1,352,040.00.

IT IS FURTHER ORDERED that judgment on the Verdict is entered in favor of defendant Blue Horizon Vegetative Recycling & Land Clearing, Inc. and against plaintiff Equipment Finance, LLC on plaintiff's claim in Count IV of plaintiff's Complaint for Implied Contract.

IT IS FURTHER ORDERED that judgment on the Verdict is entered in favor of defendant Blue Horizon Vegetative Recycling & Land Clearing, Inc. and against plaintiff Equipment Finance, LLC

on plaintiff's claim in Count V of plaintiff's Complaint for Unjust Enrichment.

BY THE COURT:

/s/ James Knoll Gardner

James Knoll Gardner

United States District Judge